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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JIN-DUAN ZHENG,

Petitioner,

-v-

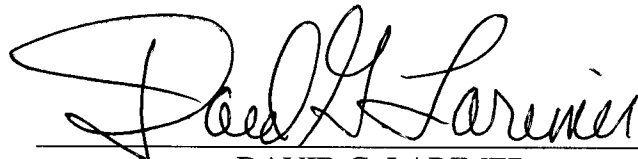
DECISION AND ORDER
04-CV-6431L

JOHN ASHCROFT, as Attorney General, et al.,

Respondents.

On January 13, 2005, the parties entered into and electronically filed with the Court a Stipulation of Dismissal, pursuant to Fed.R.Civ.P. 41(a)(1)(ii), dismissing the case without prejudice in light of the fact that petitioner had been released from detention pending removal proceedings. Accordingly, this matter is dismissed without prejudice, pursuant to Fed.R.Civ.P. 41(a)(1)(ii), upon stipulation of the parties.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

DATED: May 31, 2005
Rochester, New York